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Attorneys for Plaintiff

CARAVAN, LTD.

Docket No.:
08 CV 5395 (HB)

Plaintiff,

REPLY

-against-

DANA KAY, INC., and J.C. PENNEY CO.,
INC., ,

Plaintiff Caravan, Ltd., by its attorneys, Profeta & Eisenstein, as and for its reply to the counterclaims of defendants Dana Kay, Inc. and J.C. Penney Co., Inc., state as follows upon information and belief:

1. Admits the allegations contained in paragraph 1 of the counterclaim.

2. Admits the allegations contained in paragraph 2 of the counterclaim.

3. Admits the allegations contained in paragraph 3 of the counterclaim.

4. Denies the allegations contained in paragraph 4 of the counterclaim.

5. Denies the allegations contained in paragraph 5 of the counterclaim.

6. Denies the allegations contained in paragraph 6 of the counterclaim.

7. Denies the allegations contained in paragraph 7 of the counterclaim.

8. Denies the allegations contained in paragraph 7 of the counterclaim.

9. With respect to the allegations repeated and realleged in paragraph 9 of the counterclaim, plaintiff makes the same admissions and denials as if herein set forth at length.

10. Admits the allegations contained in paragraph 10 of the counterclaim.

11. Denies the factual allegations contained in paragraph 11 of the counterclaim and respectfully refers question of law to the Court.

12. Denies the factual allegations contained in paragraph 12 of the counterclaim and respectfully refer questions of law to the Court.

13. Denies the allegations contained in paragraph 13 of the counterclaim.

14. Denies the allegations contained in paragraph 14 of the counterclaim.

15. Denies the allegations contained in paragraph 15 of the counterclaim.

16. With respect to the allegations repeated and realleged in paragraph 16 counterclaim, plaintiff makes the same admissions and denials as if herein set forth at length.

17. Denies the allegations contained in paragraph 17 of the counterclaim.

18. Denies the allegations contained in paragraph 18 of the counterclaim.

19. Denies the allegations contained in paragraph 19 of the counterclaim.

20. With respect to the allegations repeated and realleged in paragraph 20 of the counterclaim, plaintiff makes the same admissions and denials as if herein set forth at length.

21. Denies the allegations contained in paragraph 21 of the counterclaim.

22. Denies the allegations contained in paragraph 22 of the counterclaim.

23. Denies the allegations contained in paragraph 23 of the counterclaim.

WHEREFORE, plaintiff prays for judgment dismissing the counterclaims with the costs and disbursements of this action.

Dated: New York, New York
August 4, 2008

Respectfully submitted,

PROFETA & EISENSTEIN
Attorneys for plaintiff

By:


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A Member of the Firm
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TO:

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